

### 19.1 Canvass of Election

The SBE recommends that the electoral board proceed with its ascertainment of the results immediately following the meeting to determine the qualifications of those persons who cast provisional votes (See Chapter 29). The procedures set forth below must be followed to ensure compliance with the requirements of § [24.2-671](#).

#### 19.1.1 When and Where to Meet

- When To Meet

The electoral board is required to begin their canvass of each election no later than 5:00 p.m. on the day after the election but the SBE recommends that the canvass begin immediately following the provisional votes meeting. Be certain to plan the canvass to permit the timely completion of all required tasks (See Reminders).

- Where To Meet

The meeting may take place in either the office of the Clerk of Circuit Court or the office of the general registrar. (§ [24.2-671](#)). The location of the meeting depends upon where the elections materials were delivered by the officers of election; either to the Clerk of the Circuit Court or to the office of the general registrar. (§ [24.2-668](#)). The board may adjourn to another room in a public building to conduct its canvass and may adjourn from day to day as needed for no more than seven days from the date of the election.

Notice must be given to the public, pursuant to the Virginia Freedom of Information Act, of when and where the canvass and the provisional ballots meeting will be held. Notice for the two meetings can be sent out together. (See Chapter 26 for more about notice requirements). Voters casting provisional ballots must be given notice of the time and place of the provisional ballots meeting at the polling place when casting their ballots. § [24.2-653](#), [42 USC 15482](#).

#### 19.1.2 Who Must and May Attend

- Mandatory--All Members of the Electoral Board and Staff

All Members of the Electoral Board should be present for the conduct of the canvass. In the event one Member is unable to attend, two Members constitute a quorum and may proceed to conduct the canvass.

Should the Secretary of the Electoral Board be unable to attend the meeting due to some extreme emergency, the Board must elect another of its Members as Acting Secretary; all official documents concerning the canvass should be signed accordingly. In this case, the word *acting* is entered before the word *Secretary* and the Member so elected signs that line only. The line to the left of the position he holds on the Board is left blank. Only those Members of the Board present during the entire canvass may legally sign any document concerning it.

The registrar, staff needed to assist the board, and representatives of the Clerk's office on assignment.

- Persons with Specific Statutory Attendance Rights: During a primary election, each candidate is entitled to have as many representatives as there are teams of officials working to ascertain the results and in a general and/or special election, each political party and each independent candidate can have as many representatives as there are teams working to ascertain the results. The electoral board must use a room of sufficient size to accommodate these persons. These individuals must be allowed an unobstructed view of the proceedings.
- As the canvass is a public meeting of the electoral board, others members of the public may attend all open portions of the meeting to the extent space is available.

No person, regardless of official function or statutory right to be present, may be allowed to disrupt the meeting nor interfere with the conduct of the canvass in any way. Inform them that interruptions can cause errors and explain that questions concerning each precinct will be taken after work concludes but before the Electoral Board reseals the Pollbooks, Pollbook Count Records, and the Statement of Results for the precinct.

### **19.1.3 Documents Used**

The canvass requires five (5) documents:

- Pollbook;
- Statement of Results;
- Voting Equipment Printouts;
- County/City Results Report; and

- Abstract of Voters

### **19.1.3.1 Pollbook and Pollbook Count**

The pollbook is either a printout or electronic version of all of the eligible voters for a given precinct in a given election. It lists each eligible voter by last name and includes their ID number, full name, year of birth, town code (if applicable), super-district (if applicable), residence address, and mailing address. Additionally, each voter may have a pre-printed code beside their name to indicate

- whether they requested an absentee ballot (AB);
- are a temporary or federal overseas voter (T or F);
- are permanently registered overseas voter (R);
- moved within the jurisdiction or are inactive (?);
- a conflict with their social security number (A); or
- during federal elections only, they were a mail registration and need to show an approved ID (H).

The pollbook count form is a tally sheet used by officers of election to track the number of voters who checked in on election day. If an electronic pollbook is used, this count is tracked automatically by the system when the officer checks in each voter (the pollbook count form is not needed).

### **19.1.3.2 Statement of Results**

The statement of results (SOR) is a worksheet to check and submit the results for each precinct. The electoral board or general registrar must enter the office title, district name or number, if one, and the candidate names for each office and the question title and issue response for each question on the ballot in each precinct on Part D of the SOR. The remaining information is filled out by the officers of election and checked by the electoral board.

### **19.1.3.3 Voting Equipment Printouts**

The results tapes produced by direct recording electronic and/or optical scan voting equipment must be compared for accuracy against any data entered from them onto Part D of the SOR.

### **19.1.3.4 County/City Results Report**

The County/City Results report may be used to summarize all of the statement of results within a locality. Localities may use their own form or the document that is available in the VERIS Reports Library. It contains all offices and referendum, if any, applicable to



each locality. The report will identify the election, its date, and the locality name and code. Offices and their candidates will appear in the same order as they are listed on voting equipment ballots. Referenda will follow the last candidate page.

### **19.1.3.5 Abstracts of Votes**

The State Board of Elections will post on its SharePoint website one Abstract of Votes for each office and issue applicable to the election canvassed. Either the Word files or PDF files must be downloaded to a computer, the data entered directly thereon, each Abstract printed, and signed by the board following the procedures outlined in Section 1.2.4.

### **19.1.4 Supplies Provided By Clerk or General Registrar**

The Clerk of Court or, if materials are returned to the general registrar on election night, the general registrar should provide to the electoral board, for each precinct, the #2 Statement of Results envelope and, if applicable, the #2A Printed Return sheet envelope.

-  Never open the sealed envelope or receptacle containing voted ballots unless authorized to do so by the Secretary of the State Board, by order of a Court (*e.g.*, in a recount or contest), or as part of an audit pilot program conducted under § [24.2-671.1](#). Opening the sealed counted ballots envelope or receptacle for any other reason could constitute illegal tampering subject to prosecution as a felony under § [24.2-1009](#)
-  SBE has a form for requesting permission from the Secretary: SBE Request to Inspect Sealed Election Materials (Form SBE-659). The registrar or an electoral board member can complete and fax or email the form to the Secretary for review and approval if appropriate. Permission is not granted until the Secretary returns the signed form.

## **19.2 How to Conduct the Canvass**

The canvass is performed to verify and consolidate the results from the individual precincts. It requires actions by the officers of election, general registrar, and the electoral board.

### **19.2.1 Duties of the Officers of Election Related to the Canvass**

The officers of election must accurately complete the pollbook count form (except when an electronic pollbook is used) and the statement of results and, if applicable, produce the voting equipment printouts (*e.g.* results tapes, precinct consolidation tape or final precinct report). For more detail, see the election day guide.

## **19.2.2 Duties of the General Registrar Related to the Canvass**

The duties performed by the general registrar are broken-down into two sections, Before the Election and After the Election. The specifics of each section are described below.

### **19.2.2.1 Before The Election**

As soon as the following documents are available, the general registrar must:

- Check The State Board of Elections' SharePoint website to determine if all Abstracts needed are posted thereon and
- Check the County/City Results Report to be certain that:
  - If the locality uses a Central Absentee Precinct (CAP), the ## AB - Central Absentee Precinct is listed;
  - The #\_Provisional (Vote) Precinct is listed;
  - The required lines for each precinct in the locality are provided;
  - The offices, districts, candidates, and issues shown on each page are the correct ones for the precincts listed; and
  - No required office, candidate, or issue is missing from the document.

Call SBE immediately if any error is found.

### **19.2.2.2 After The Election**

Make available for public inspection, beginning at the conclusion of the electoral board's canvass, a copy of the County/City Results Report, one copy of the Statement of Results for each precinct and, if write-ins have been certified, one copy of the Write-Ins Certification completed by the officers of election for each precinct.

## **19.2.3 Duties of the Electoral Board Related to the Canvass**

The ascertainment is made from the Statements of Results from each precinct. Complete one precinct before beginning another.

If it is necessary to summon officers to correct errors, the material used must be returned to its original envelope and set aside until they appear. If they cannot appear on the day of the canvass, follow the instructions for packaging and re-open the envelope when they do appear.

- If applicable, examine the printed return sheet in each of the #2A Envelopes for completeness and then return the document to the envelope and prepare these envelopes for transmission to the Clerk of the Circuit Court.

- If correction of errors will require access to counted ballots or voting machines, call SBE before proceeding further. Each political party and each independent candidate on the ballot (in a primary, each candidate) is entitled to have a representative present during this process. Parties and candidates must be provided with reasonable advance notice of the time and place of the inspection. The representatives must have an unobstructed view of the proceedings but cannot interfere in any way. When all representatives are present and Clerk of Court receives SBE's authorization to inspect either the counted ballots or voting machines, the canvass may proceed. As noted above, Request to Inspect Sealed Election Materials (Form SBE-659) can be completed and faxed or emailed to the Secretary to request authorization.


### 19.2.3.1 Processing the Statement of Results

- Systematically check the information entered by the officers on each set of forms to assure that no errors were made. This should be accomplished with a democratic member of the board checking one copy of the statement and a republican checking the other copy. Throughout this process, be sure to verify that the two forms agree. In large localities, it may be necessary to employ teams of two people to perform this function under the direct supervision of board members. In this case, each team should be comprised of one democrat and one republican. Each should check one copy of the statement of results to ensure that calculations are correct, all required information is provided, and all required signatures have been entered.
- When DRE's are used with paper or optical scan ballots, check to be sure the officers have correctly entered the vote totals from the results printout to Part D of the statements of results.
- Compare the number of voters entered on the last page of the pollbook count sheet with the total number shown as voting on Part C-1 of the statement of results. If they do not agree and no statement adequately explaining the disagreement has been entered in Part F, the officers must be called in to correct the statement of results or to enter the missing explanation.
- Compare, for each office and issue, the total votes cast in Part D to the total number of people voting in Part C-1. If the total votes cast exceed the number who voted and no statement adequately explaining the disagreement has been entered in Part F, the officers must be called in to enter the missing explanation.



Only the officers of election may make changes to the statement of results. (§ [24.2-672](#)). Therefore, if the officers made errors that can be corrected, the board must require a majority of the officers from the precinct to appear before it to amend the returns. Officers representing both political parties must be present. Require the officers to appear either on the day of the canvass or no later than the following day.

If, in correcting their work, it appears that the officers will have to look at counted paper ballots or examine voting machines, the board must contact The SBE immediately before proceeding further with that precinct. The registrar or an electoral board member must complete, fax or email Form SBE-659 to the Secretary for review and approval. Permission is not granted until the Secretary returns the signed form. Further, each political party and each independent candidate on the ballot (in a primary, each candidate) is entitled to have a representative during this process. Parties and candidates must be provided with a reasonable advance notice of the time and place of the inspection. The representatives must have an unobstructed view of the proceedings but cannot interfere in any way. The canvass may not continue until all representatives are present and the Clerk of Court has received written authorization from the Secretary of the SBE to inspect the counted ballots or voting equipment.

 The electoral board is required to notify SBE of changes to the SOR—by the officers of election or later to its certified abstract—and SBE must post to its website an explanation for the change. (§ [24.2-671](#)).

#### **19.2.3.1.1 Write-in votes**

Write in votes are governed by § [24.2-671](#). Localities I report only the total number of write-in votes for an office (including any which may be determined to be invalid) if they are:

- less than 5% of the total votes cast for the office;
- less than the number of votes received by any winning candidate on the ballot for that office; and
- no winning candidate is a person whose name was written in.

If all three circumstances prevail, then no certification of the names of persons for whom write-in votes were received is required. (§ [24.2-675](#)). At the time the canvass is conducted, the electoral board need only determine the total number of write-in votes for the office (including any that later may be determined to be invalid).

However, if the total number of write-in votes cast for the office is 5% or more of the total votes cast for that office, the electoral board must continue to complete the ascertainment of write-in votes at the time of the canvass.

The electoral board will certify the number of write-ins for each office in one total on the Abstract of Votes for that office. (§ [24.2-675](#)). The number certified will be subject to change only if the numbers entered in VERIS for each precinct do not equal the total submitted on the Abstract. Notice of changes must be posted on SBE's website with an explanation. (§ [24.2-671](#)).

The electoral board will continue to complete the certification of write-in votes in the usual manner as described in the following paragraphs.

- ❶ If this work is delayed and further certifications are required, the copy of the statement of results retained in the office of the general registrar should be the most legible copy. The copy of that part of the statement identified as write-ins certification, which contains the write-ins certified by the officers of election, must remain under seal and cannot be made available for public inspection until the board's certification is complete.

Certification of write-ins may be accomplished either manually using the procedures below or through entry on a PC, office by office, district by district, of the names of persons receiving write-ins and the votes each received. Invalid votes for each office and its district should also be included. A program would then sort the names (with the votes received by each in each precinct), including the "name" Invalid, by office and district, into both alphabetical order within precinct and within locality.

If determined manually, proceed as follows:

From the write-ins certification prepared by the officers for each precinct, enter on 3 x 5 cards the number of the precinct; the title of the office for which the write-in vote is cast; the district number or name, if any; the name of the person who receives write-in votes for that office; and the number of votes cast for that person in the precinct. Include, for each precinct, a card on which invalid votes will be tallied.

If the same person receives write-in votes in that precinct for more than one office, a separate card should be prepared for that person for each office. (See Exhibit A). At this time, keep the cards organized by precinct; within each precinct, by office; and, within each office, alphabetical by name of the person receiving write-in vote(s).

Next, organize the card by each office and count the number of votes entered on all cards for the precinct to verify the number of write-ins entered in that column on the statement of results.

As additional precincts are canvassed, if the same person receives additional votes for the same office, prepare a separate card for each precinct in which votes were received by that person.

When satisfied that both statements of results for a precinct are correct:

- Set aside the most legible copy of the statement of results for each precinct to be delivered to the general registrar who is required by law to make it available for public inspection. If write-ins have not yet been certified, place the precinct



write-ins certification under seal in an envelope so identified until the board has completed the certification at which time they, too, are open to public inspection in the office of the general registrar.

- Return the pollbook(s) from each precinct, the second copy of the statement of results, and any printed inspection and results sheet to the #2 Envelope.
  - Seal the envelope by placing a label across its flap;
  - Sign and date the label; and
  - Return the sealed envelopes for all precincts to the Circuit Court Clerk.

#### **19.2.3.2 Processing the County/City Results Report**

Each entry must be neat and legible. Figures should be in pencil to permit easy correction of data, if necessary.

One member of the board must complete this document or similar results template with its completion witnessed by a member representing the opposite party.

When completed, give the county/city results report to the general registrar so that the member of the registrar's staff assigned the task may key this data into the VERIS Election Post-Processing screens.

The person recording data must:

- Total the number of votes cast in the precinct for each candidate or issue response listed;
- Total the number of write-in votes cast, if permitted for the election, for each office.
- Calculate the number of over-votes cast in the precinct for each candidate, etc.

The total number of votes cast for all candidates, including write-ins, for any one single-seat office, or responses for any one issue, must not exceed the total number of persons voting in that precinct and in that district.

If the number of votes cast for candidates or issue responses is higher than voters voting due to human or machine error, the number on the voting machine must be used. Enter a statement to that effect on the reverse side of each copy of the County/City Results Report on which the precinct is listed just as the officers of election entered a statement on the Statements of Results.

- ① Check and double-check each total entered for each precinct; and after completion of data entry by the general registrar or registrar's staff member, the VERIS Election Results will provide locality totals for each candidate and issue.

When satisfied that the totals for the locality are accurate, enter them on the *Abstracts of Votes*.

## 19.2.4 Processing the Abstracts of Votes

If these procedures are followed carefully, there should be no errors. Should an error be discovered, have blank abstract forms ready to correct the error.

- If required to certify write-ins at the time of the canvass when the *Abstracts* are completed: Either compile the results of computer entries or reorganize the 3 x 5" cards by office and, within each office and district, in alphabetical order by name of the person receiving write-in votes;
- For each office, complete one *Abstract* and, if write-ins equal 5% or more of the total number of votes cast for the office or a person was elected by write-in vote, the *Write-Ins Certification*. For each issue, one *Abstract*:
  - Enter any required district number or name;
  - List candidates in the same order and manner in which they appeared on the ballot and enter the total number of votes each received;
  - Enter Total Number of Write-Ins on the line provided;
  - On issue Abstracts, enter the total number of votes for (yes) and against (no) the issue;
  - Check and double check each total entered;
  - For any office listed , enter the name of the candidate elected in the space provided for that purpose;
  - If two or more candidates for any such office receive the same (and highest) number of votes, follow the procedures in Section 19.2.6 to determine the winner.
  - If it is determined that a Write In Certification page is necessary, enter the appropriate numbers in the Write-Ins Summary (Lines 1, 2 and 3). Enter, in alphabetical order, the names of persons receiving write-in votes and the number of votes received by each in the Valid Write-Ins – Detail. The Write-Ins Certification - Continuation will permit a complete reporting of write in names.
    - ① If the total number of write-ins cast for an office is less than 5% of the total number of votes cast for that office and no one was elected to that office by write-in votes, the Write-Ins Certification is not required. (§ [24.2-675](#)).
  - All Members of the Electoral Board who participate in the canvass must sign each original Write-Ins Certification, if required, and Abstract in the spaces indicated (see Exhibit B);
    - ① The second signature of the secretary must not yet be affixed.
- For offices, make three copies of each completed and signed *Abstract* and, if required for the office, the *Write-Ins Certification*. For issues, make four copies of the *Abstract*.

- The Secretary must sign each copy again, attesting that it is a true copy, and affix the Seal of the Electoral Board.
- Preserve one attested copy of each *Abstract* and, if required for the office, the *Write-Ins Certification* as part of the minutes of the meeting at which the results were ascertained.
- Place the originals (unattested) in a file to be kept with the minute book. It is from these originals that future attested copies will be made.

Where to send it: (§§ [24.2-532](#) and [24.2-675](#)).

- For all General and Special elections for all offices and referenda:
  - Place one attested photocopy of each *Abstract* and, if completed at the time of the canvass, each *Write-Ins Certification*, in the envelope labeled *Abstract Envelope For (county or city name)*. If an Abstract Envelope was not provided by State Board, you must use your own. Please **DO NOT** fold the Official Abstract or Write In Certification. Then, immediately send it as directed by SBE.
  - Forward one attested copy of each for recording in the record book of the local governing body:
    - For elections for town office or town referenda, to the Clerk of the Town Council; or
    - For General or Special Elections for all other offices or referenda, to the Clerk of the Board of Supervisors or City Council.
  - If the *Write-Ins Certification* is delayed as permitted by law, then on or before the Tuesday next following the election, write-ins must be determined and one attested copy of this document mailed to SBE and one forwarded to the appropriate entity named above.
  - Forward one attested copy of each *Abstract* for local referenda to the Circuit Court Clerk.
- For Primary Elections for offices to be canvassed by the SBE, (all offices not set forth in Section 19.2.6, below):
  - Place one attested copy of each *Abstract* in the envelope labeled *Abstract Envelope For (county or city name)*, or your own envelope if an Abstract Envelope was not included in the Election Certification Material. Please **DO NOT** fold the Official Abstract. Then, immediately send it as directed by SBE.
  - Forward one attested copy of each to the appropriate chair of the political party holding the primary as follows:

- For U.S. House of Representatives, to the congressional district chair;
- For the General Assembly, to the chair of the Senate or House of Delegates district; and
- For constitutional offices shared by more than one county or city, to the clerk of each such county or city.



*Abstracts* for primary elections for United States President and Senate, Governor, Lieutenant Governor, and Attorney General are sent only to SBE and not to any political party chair.

- For primary elections for all county, city, or local district offices, forward one attested copy of each *Abstract* to the chair of the county or city of the party holding the primary and to the SBE.

### **19.2.5 Reminders**

As soon as the canvass is concluded and the *Abstracts* are signed and attested, but in no event later than the time required in the specific instructions for the election, SBE must receive:

- By fax (804-371-0194): One copy of the abstract for each office and issue canvassed by the SBE; and
- By First Class Mail or as instructed by SBE: One attested copy of each *Abstract* and, if applicable, each *Write-ins Certification*.

### **19.2.6 Responsibility for Certification of Results and Determination of Tied Results**

The Electoral Board is solely responsible for the final certification of the results of elections for local referenda and for the following offices:

- Constitutional offices (not shared with another locality)(Circuit Court Clerk, Commonwealth's Attorney,
- Sheriff ,
- Commissioner of Revenue;
- Treasurer ,
- Member, Board of Supervisors, including Tiebreaker;
- Member, School Board;
- City and Town offices; and

- Soil and Water Conservation Directors

SBE is responsible for the final certification of the results of elections for statewide and/or regional referenda and for all other offices not listed above, including any of the constitutional offices named above which are shared by more than one locality.

Should the ascertainment of the results of the election for any of the offices certified by the Electoral Board (those set forth above) indicate that two or more candidates received the same (and highest) number of votes, the Electoral Board must:

- Check and double check again the total votes cast for each candidate;
- If no error is found, determine the successful candidate by a drawing conducted by the Electoral Board at a meeting open to the public; (§ [24.2-674](#))
- While not required by law to do so, the Electoral Board should notify the candidates involved so that they or their representatives may be present for the drawing. In any event, assure that some witnesses are present;
- To conduct the drawing, enter the name of each of the candidates receiving a tie vote on a separate slip of opaque paper;
- Exhibit the slips, one at a time, to any interested person who is present; fold each slip and seal it in an opaque envelope or other small opaque container;
- Place all envelopes or containers in another opaque container large enough to mix them thoroughly;
- Shake the container thoroughly and have one of the Members of the Electoral Board draw out one envelope or container; and
- Enter, on the *Abstract of Votes* for the office, the name of the candidate whose name appears on the slip that was drawn and enter a statement indicating the day and date the drawing was conducted by the Electoral Board (See Exhibit B).
- Notify SBE of the change with an explanation for publication on the SBE website.

### **19.2.7 Duties of SBE Related to the Canvass**

- In order to verify the accuracy of the *Abstract*, SBE will:
  - Compare the data keyed into the VERIS Election Post-Processing screens to the totals entered on the *Abstracts of Votes*; and
  - Require the General Registrar or the Electoral Board, as appropriate, to correct any error found and may summon either to Richmond, if necessary.
- SBE may require any Electoral Board member to respond immediately and swiftly to correct any error found. Its canvass for a primary must be completed no later than fourteen days after the date of the primary; for November elections, by

the fourth Monday in November. (§§ [24.2-534](#) and [24.2-679](#))

- SBE will post to its website comprehensive reports indicating for each precinct not only the actual election results but also other vital information such as voter turnout percentages and percentages of votes cast for each candidate.

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## **19.3 After The Canvass**

### **19.3.1 Campaign Contribution and Expenditure Reports**

All candidates are required to file the reports of campaign contributions and expenditures unless the *Request for Exemption from Reporting Requirements* is filed. (§[24.2-948.2](#)). An electoral board cannot issue a certificate of election to any successful candidate until the following conditions have been met:

- they have filed all campaign finance reports required in subdivisions A 3 through A 9 of § [24.2-947.6](#); subdivisions A 3 through A 6 of § [24.2-947.7](#); and subdivisions B 1 and B 2 of § [24.2-947.8](#), as applicable;
- a final report if required by subsection C of § [24.2-948.1](#);
- has responded to and complied with any notice that additional information is required to complete a report in compliance with § [24.2-953.3](#);
- have paid any civil penalty and returned any contribution required to be returned pursuant to § [24.2-953.5](#). (See Certificates of Election).

A Board should issue a certificate as soon as the post election report has been filed, and all of the above conditions have been satisfied, including payment of civil penalties, in order that the successful candidate may qualify to take office prior to the date on which he is required to do so. Otherwise, the office may be declared vacant.

### **19.3.2 Certificates of Election**

- Offices To Be Issued By Electoral Board
  - According to [§24.2-676](#) the electoral board is responsible for issuing the certificates of election (if funds are available, blank certificates will be provided by SBE or the locality must print its own<sup>1</sup>) for the following offices:

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<sup>1</sup> The Secretary of the Commonwealth has granted permission for localities to use the seal of the Commonwealth on certificates of election they print.

- Member, Board of Supervisors, including Tiebreaker;
  - Constitutional offices not shared (Clerk of Court,
  - Commonwealth's Attorney, Sheriff, Commissioner of Revenue, Treasurer );
  - City and Town offices regularly elected at a May or November election;
  - School Board; and
  - Soil and Water Conservation Directors
- SBE is responsible for issuing certificates of election for all other offices, including all constitutional offices shared by more than one jurisdiction.
- According to [§24.2](#), the Secretary of the Electoral Board must:
  - Make out a certificate of election for each successful candidate for each of the offices indicated above. These certificates should be done in a manner that makes them attractive and suitable for framing. At the very least, they should be completed by a person whose handwriting is decorative.
  - See Exhibit C for a sample certificate form SBE provides electronically. It is important that the dates entered for the beginning and end of the term of office are the correct ones for the specific office being certified, *e.g.*, Councils elected in May take office on either July 1 or September 1. Therefore, the term may end on either June 30 or August 31 and may be either a two-year or a four-year term. Your local government attorney can be consulted if needed;

ign each such certificate of election;

- Deliver to each successful candidate the certificate of election in person, have it delivered by another Member of the board or a Registrar, or transmit it by certified mail; and
- Inform the candidate that the certificate should be exhibited to the officer who administers the oath of office as evidence that the candidate is entitled to receive the oath. Oath must be administered by Clerk of Court of record, by any judge, by a Commissioner or Clerk of the State Corporation Commission or by the Secretary of the Commonwealth. ([§ 49-3](#)).



For unsuccessful candidates, the Secretary of the Electoral Board must:

- Notify any losing candidate for any of the offices set forth above who fails to file the required reports of campaign contributions and expenditures that, if such reports are not filed, the Electoral Board will be required to report to the

Commonwealth's Attorney that the candidate has failed to comply with reporting requirements and may be subject to prosecution.. (§[24.2-946.3](#));

- Carefully preserve a copy of any such letter as it may be needed as evidence in a court proceeding; and
- Report to the Commonwealth's Attorney in writing any candidate who fails to file any required report by the date of the deadline set forth in the notification letter.

- ① For November elections, SBE must certify final results on the fourth Monday of November and in the interim, will verify the accuracy of the precinct and county or city results the electoral board has certified. The electoral board should stand ready to respond immediately and swiftly to any request from the SBE for investigation and correction of any error found in the certification. Any such request will come by telephone and may come during evening or weekend hours as this work cannot be delayed if it is to be accomplished in the time required by law.

### **19.3.3 Letters to Voters whose Provisional Ballots or Absentee Ballots are Rejected**

After the canvass, the General Registrar must notify, in writing, all persons whose voted provisional ballots could not be counted because they were found not qualified. The letter should explain that

- if they wish to be eligible to vote in future elections, they must complete a Virginia Voter Registration Application Form (one was provided to them on Election Day); and
- the date of the close of books deadline for the next election by which to return the application in the pre-addressed envelope provided

For persons already registered, VERIS will automatically generate letters when their record is updated to indicate the provisional ballot was not counted. (See Chapter 29). For persons not registered who have not completed a registration application, the notification letter should include a voter registration application and inform the person that if they wish to be eligible to vote in future elections, they must complete the application and return it in the pre-addressed envelope provided before (enter date), the close of the books for the next election in the county or city.

The Electoral Board is also required to send a written explanation of the reason for rejection of an absentee ballot to the voter within ninety (90) days of the date of rejection. VERIS will automatically generate letters for voters whose absentee ballot was rejected after the voters' records are updated to indicate the ballot was rejected. (See Chapter 11).



## **19.4 Exhibits**

### **19.4.1 Exhibit A: Manual Tally of Write-In Votes**

0101

GOVERNOR

JOHN WRITE-IN 2

0101

HOUSE OF DELEGATES

56TH DISTRICT

JOHN WRITE-IN 2

## Rev. 7.2010

### 19.4.3 Exhibit C: Certificate of Election



## COMMONWEALTH *of* VIRGINIA

TO ALL TO WHOM THESE PRESENTS SHALL COME-GREETING:

This is to Certify, *that at a meeting of the Electoral Board*  
*of the* **County of Anywhere**

*held on* (enter date of canvass) , 20 , *on an examination of the*  
*official records deposited in the office of the Clerk of the Circuit Court it was*  
*ascertained and determined that at the election held on*

(enter date of election) , 20 ,

**Successful Y. Candidate**

*was duly elected*

(enter office title and district, if any)

*for a term commencing* (enter date)\* , 20

*and ending* (enter date) , 20 .

Witness the following official Signature and Seal of the Board

at **Anywhere, Virginia**

this (enter date)day of (enter month), 20 (enter year)

\_\_\_\_\_

\* Note: For a Special Election to fill a vacancy enter: upon qualification, 20\_\_\_\_.

## 19.5 Exhibit D: Canvass Certification Checklist

### 1. Tapes

- ☐ Zero Tape - Signed by Chief and Assistant Chief Officers of Election
- ☐ Result Tapes 1-4 – Signed by Chief and Assistant Chief Officers of Election

### 2. (Yellow or White) Printed Return Sheet

- ☐ Packed in Envelope #2A - Label signed by 2 officers
- ☐ Signed by all Officers
- ☐ Result Tape #3 Attached

### 3. Statement of Results

- ☐ Packed in Envelope #2 - Label signed by 2 officers
- ☐ Signed by all officers
- ☐ Result Tapes #1 and #2 attached to correct SOR and signed by Chief and Asst Chief Officers<sup>1</sup>

- ☐ Part A - Check for accuracy
  - ☐ Parts B & C - Check for completeness
  - ☐ If applicable, Part D – Check for accuracy and completeness
  - ☐ Equal number of voters on result tape and Pollbook Count forms (if not, a statement has been entered in the Part F - Explanation of Incidents)
  - ☐ Total Votes Cast for each office or issue is equal to or less than the last line in Part C of the SOR and Pollbook Count Sheet
- 4. Pollbook(s)**
- ☐ Packed in Envelope #2 - Label signed by 2 officers
- 5. Oath of Officer form**
- ☐ Packed in Envelope #2 - Label signed by 2 officers
  - ☐ Signed by all officers
  - ☐ Chief Officer signed twice (top & bottom)
- 6. Pollbook Count form(s) [NOT REQUIRED IF ELECTRONIC POLLBOOK IS USED]**
- ☐ Packed in Envelope #2
  - ☐ Numbers marked consecutively and correctly (last number marked should be the same as the last line of Part C – Pollbook Count (PBC) and Reconciliation (SOR))
  - ☐ Total number of voters recorded in Certification section of the Pollbook Count Sheet (1 – 1,000).
  - ☐ Pollbook Count Sheet (1 – 1,000) signed by 1 Officer of Election
- 7. Write-In Certification (none for primary elections)**
- ☐ Packed in Envelope #2
  - ☐ Copy 1 & Copy 2 returned
  - ☐ Number of write-ins of each candidate totaled correctly
  - ☐ No signatures on form
- 8. Provisional Ballot(s)**

- ☐ Sealed in Envelope #1A, and if applicable, 1B, with 2 signatures
- ☐ Sealed in small green envelopes with 1 signature
- ☐ Details recorded on Incident Report by Chief Officer